



Text Amendment #9:

Active Centers and Corridors Design Overlay (DO-8)

Map Amendment #2020I-00080:

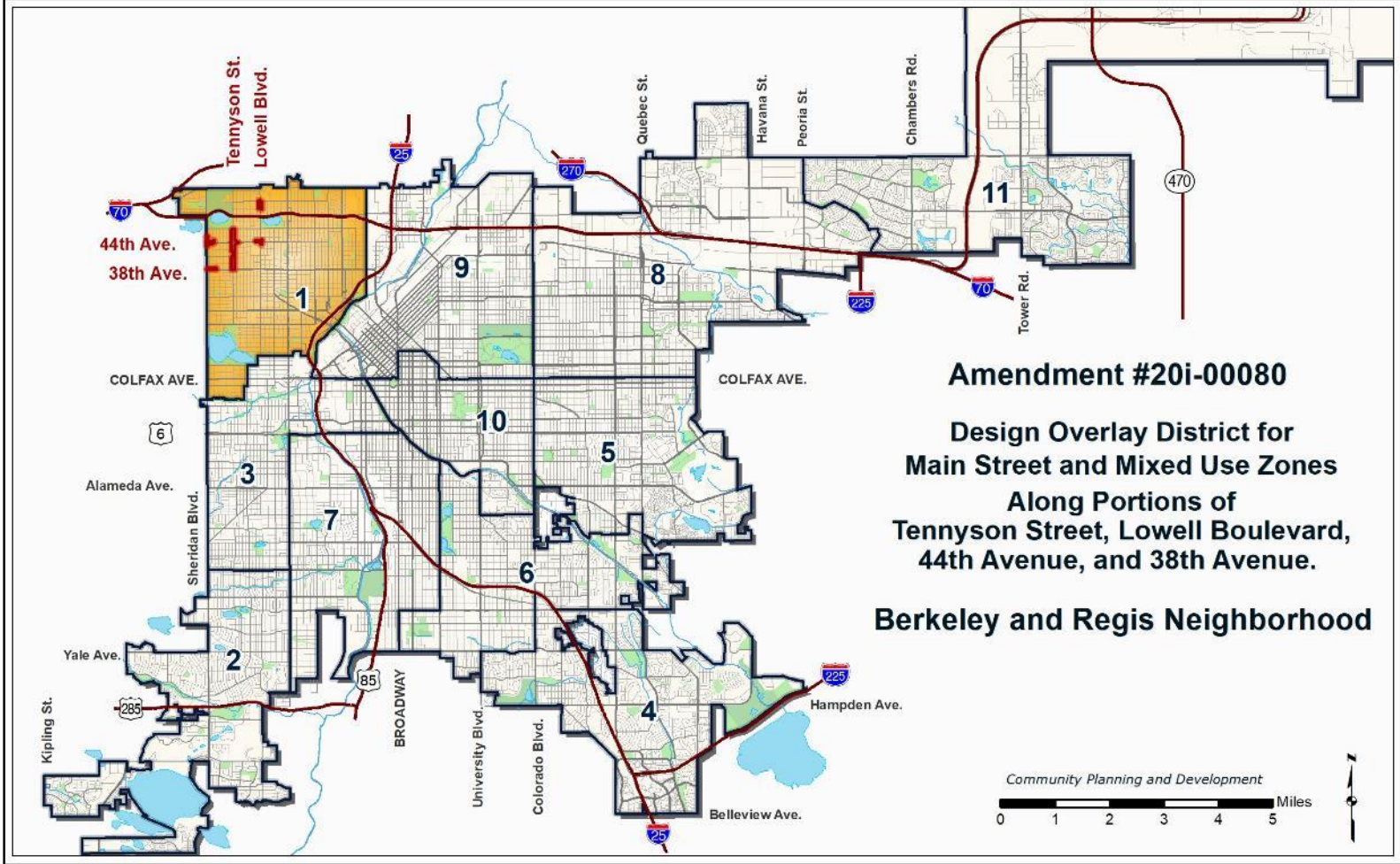
Multiple Areas in Berkeley/Regis to Apply DO-8

City Council – March 30, 2021

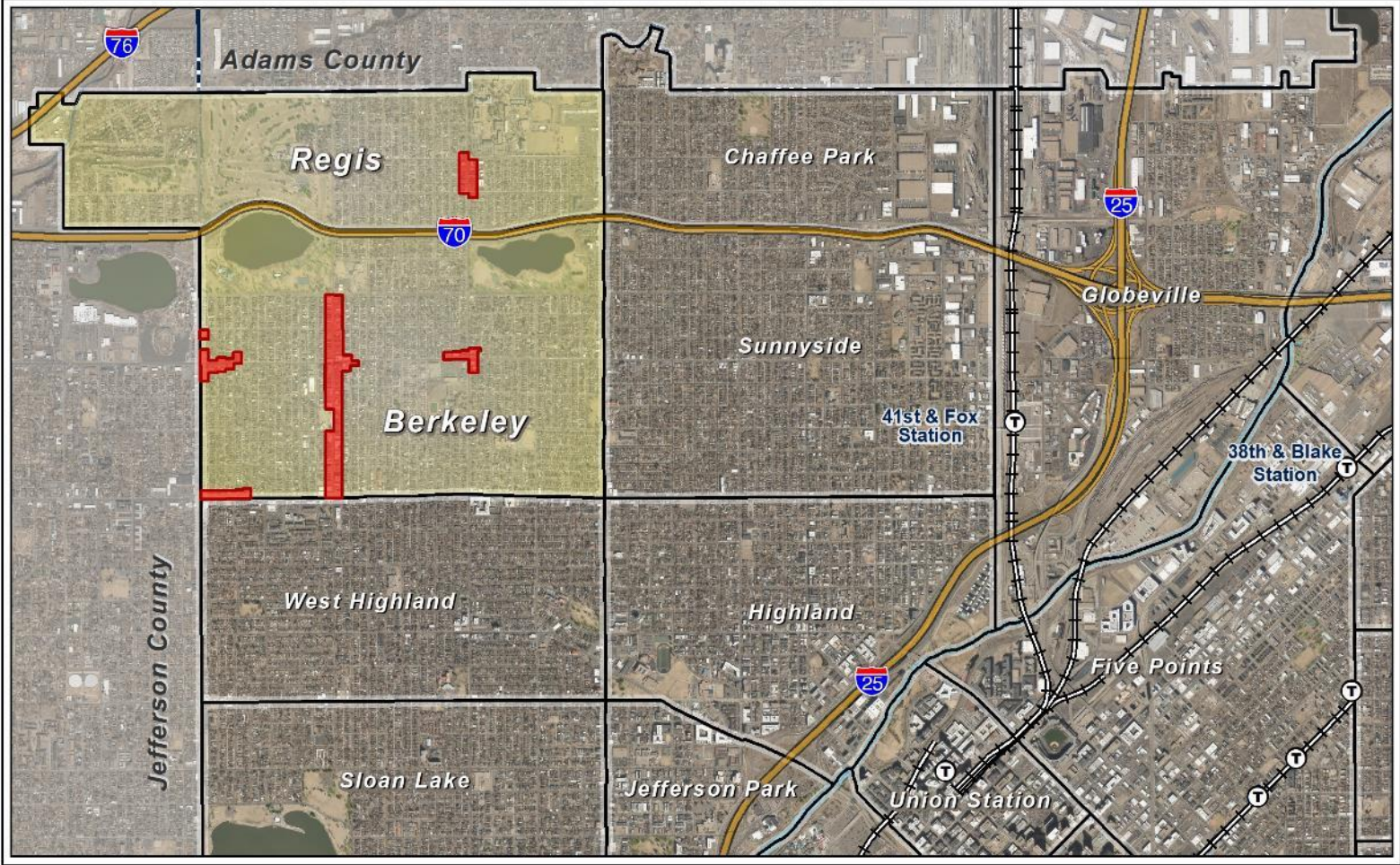
Purpose of Text and Map Amendments

- Sponsored by Councilwoman Amanda Sandoval
- Text Amendment: Establish the Active Centers and Corridors Design Overlay (DO-8) and create consistency in the Shopfront building form
- Map Amendment: Apply the new DO-8 to various Urban Mixed Use and Urban Main Street districts ranging from 2- to 5-stories in the Berkeley and Regis neighborhoods

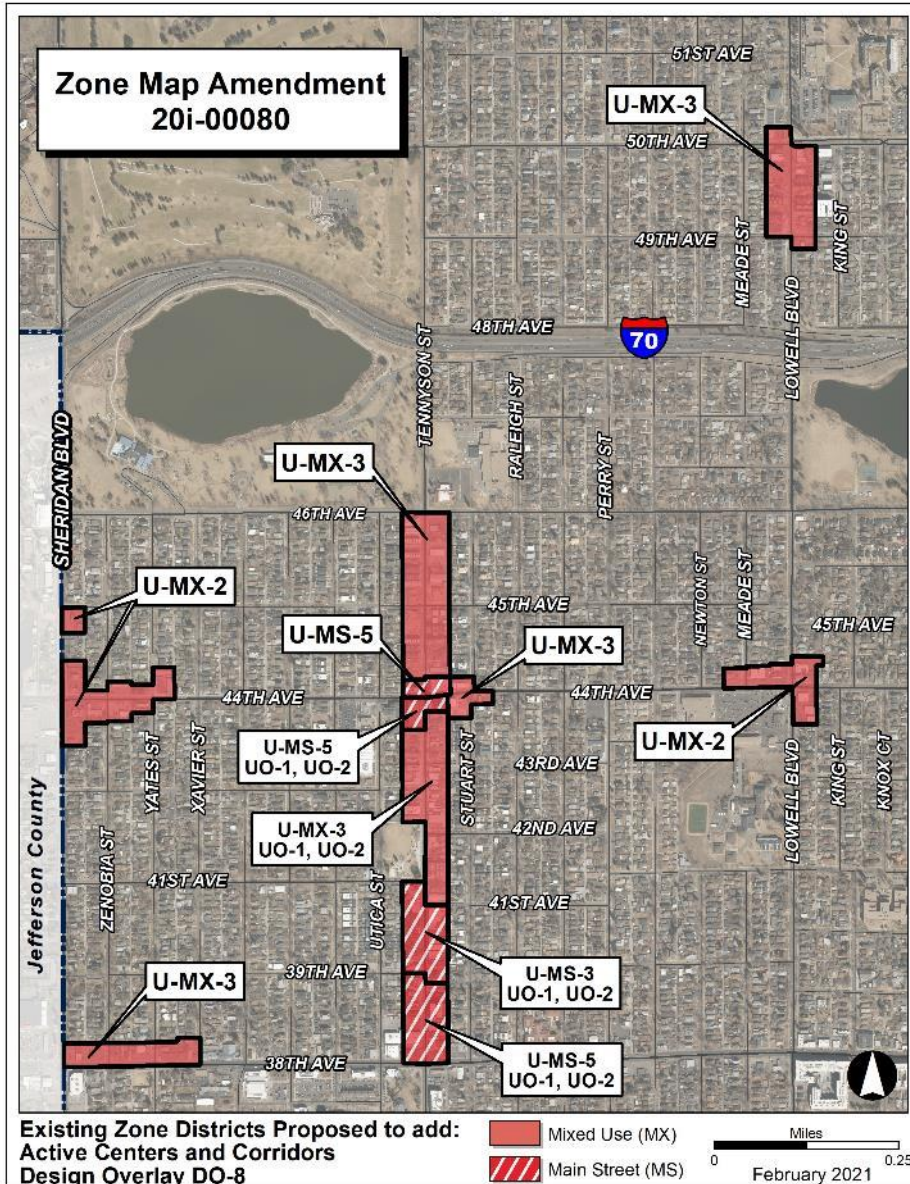
Map Amendment 2020I-00080: Council District 1



Berkeley and Regis Neighborhoods



Request: Apply D0-8



- Over 450 parcels, approximately 32 acres
- Apply Design Overlay 8 to existing Urban Neighborhood Context – Mixed Use and Main Street – 2/3/5 stories maximum height, Use Overlay 1 and 2 zone districts
- DO-8 will apply more pedestrian-oriented street level design standards and ensure nonresidential uses continue in traditional neighborhood commercial areas
- Legislative rezoning intended to implement adopted plan guidance and neighborhood input
- No developer-driven redevelopment in connection with the legislative rezoning

Text Amendment

Design Overlay Overview and Context



Tennyson (District 1)



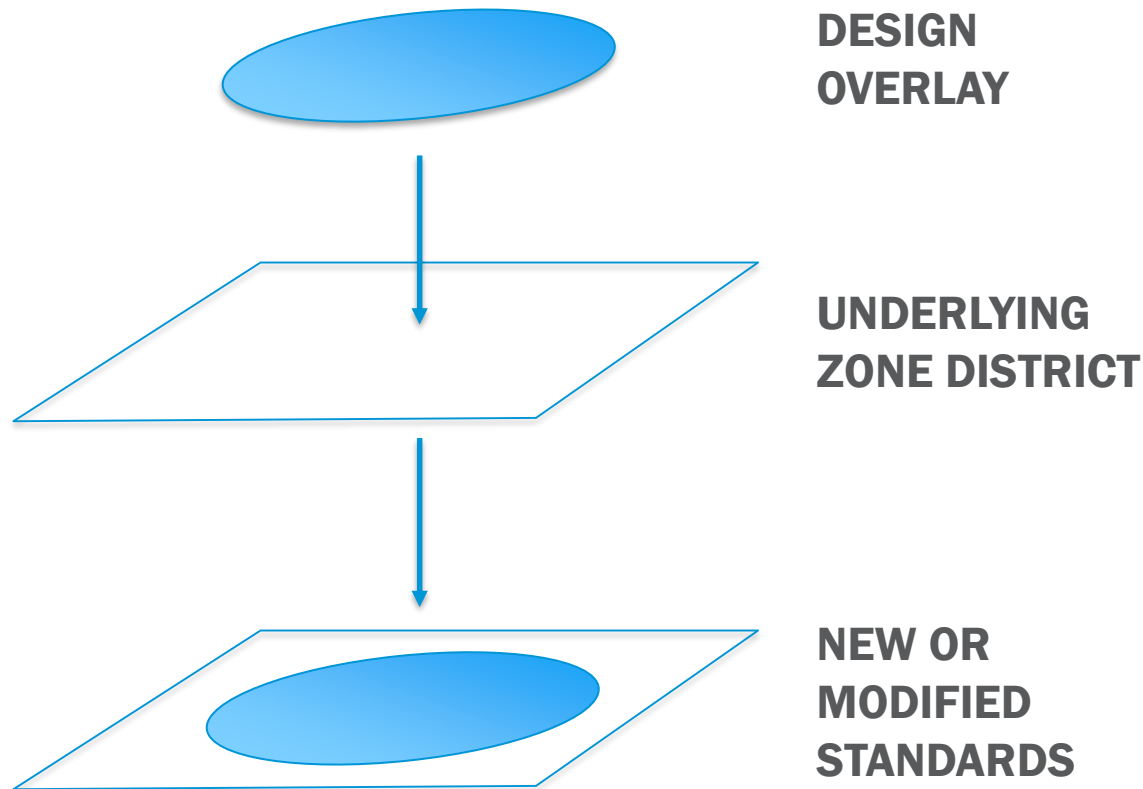
South Pearl (District 7)



Santa Fe (District 3)

- Received design overlay requests from several neighborhoods since 2015
- Concerned about the conversion from mixed-use commercial to residential and desire for more pedestrian-oriented design standards
- Guidance in Comp Plan 2040 and Blueprint Denver led to exploring one broadly applicable overlay, rather than multiple custom overlays
- Text amendment request from District 1

What is a Design Overlay?



- Intended to reinforce the desired character for newly developing or redeveloping areas (Section 9.4.5)
- May add, remove, or modify the zoning standards of the underlying zone district
- ***May not*** modify permitted uses allowed in the zone district, but may modify how those uses are organized
- May apply more than one design overlay to an area

Active Centers and Corridors Design Overlay (DO-8)

DESIGN OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Uptown Design Overlay District	DO-1
Washington Street Design Overlay District	DO-2
Lafayette Street Design Overlay District	DO-3
Side Interior Setback Design Overlay District	DO-4
South Sloan's Lake Design Overlay District	DO-5
Peña Station Next Design Overlay District	DO-6
River North Design Overlay District	DO-7
<u>Active Centers and Corridors Design Overlay District</u>	<u>DO-8</u>

- Seven Design Overlays currently exist in the DZC
- Propose to create new Design Overlay (DO-8) with broad applicability to many different types of mixed-use Centers and Corridors
- “8” does not refer to number of stories

Objectives for “Active Centers and Corridors”



- Mixed use areas, especially Local Centers and Corridors, should provide goods, services and amenities alongside residential
- Support neighborhood quality of life, economy, and resiliency
- Encourage high levels of pedestrian activity

Objectives for “Active Centers and Corridors”



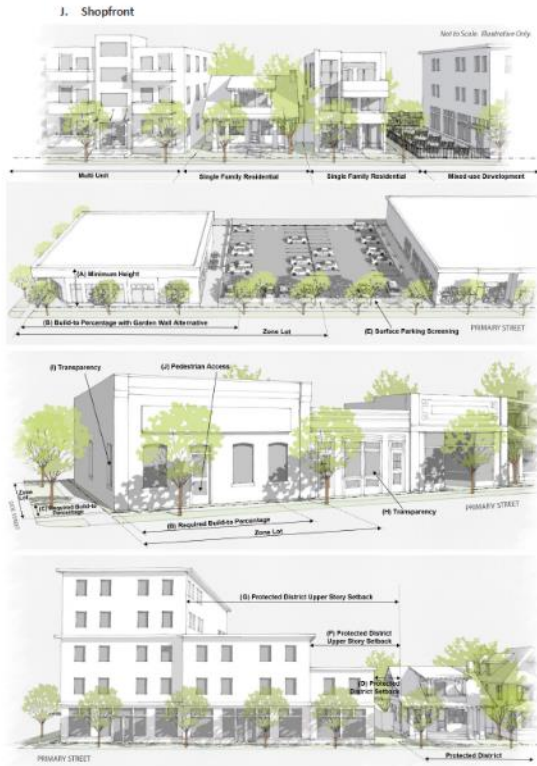
- Strong streetwall presence, but with flexibility for outdoor dining, retail, etc.
- Space for streetscape amenities and generous pedestrian areas
- High levels of transparency
- Comfortable transitions between public and private space
- Generous ground floor heights that support vibrant commercial activity

D0-8 Proposed Standards – Summary

1. Provide nonresidential active uses for a portion of Primary Street frontage on larger sized lots
2. Limit primary building forms to Shopfront and Townhouse
3. Increase Build-to Range from 5 feet to 10 feet to allow more flexibility for outdoor dining and pedestrian area
4. Require a minimum 2-foot setback to increase pedestrian area
5. Require a minimum 7-foot setback for any street level residential units
6. Allow Permanent Art (30% max) as the only transparency alternative
7. Require a minimum 14-foot street level height (measured from floor-to-floor)

Update Shopfront in Urban Context (Article 5)

Article 5. Urban Neighborhood Context
Division 5.3 Design Standards



5.3-24 | DENVER ZONING CODE
June 15, 2018 | Republished May 24, 2018

Article 5. Urban Neighborhood Context
Division 5.3 Design Standards

SHOPFRONT

	U-RX-3	U-RX-5	U-MX-2x U-MS-2x U-MX-2	U-MX-3	U-MS-5
HEIGHT					
Stories (max)	3	5	3	3	5
A Feet (min/max)	na/45'	na/70'	na/70'	na/45'	24/70'
SITING					
REQUIRED BUILD-TO					
B Primary Street (min build-to % within min/max range)	70% 0/15'	70% 0/15'	75% 0/5' Residential Only Buildings: 0/10'	75% 0/5' Residential Only Buildings: 0/10'	75% 0/5' Residential Only Buildings: 0/10'
C Side Street (min build-to % within min/max range)	na	na	25% 0/5' Residential Only Buildings: 0/10'	25% 0/5' Residential Only Buildings: 0/10'	25% 0/5' Residential Only Buildings: 0/10'
SETBACKS					
Primary Street (min)	0'	0'	0'	0'	0'
Side Street (min)	0'	0'	0'	0'	0'
Side Interior (min)	0'	0'	0'	0'	0'
D Side Interior, adjacent to Protected District (min)	10'	10'	U-MS-2x, U-MX-2x: 5'	10'	10'
Rear, alley and no alley (min)	0'	0'	All Other Zone Districts: 10'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0/10'	0/10'	U-MS-2x, U-MX-2x: 12/20'	0/10'	0/10'
PARKING					
Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed		MS: Not Allowed/Not Allowed		
E Surface Parking Screening Vehicle Access	See Article 10, Division 10.5 Shall be determined as part of Site Development Plan Review				
DESIGN ELEMENTS					
BUILDING CONFIGURATION					
Dwelling Unit Configuration	Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA.				
F Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/rear, no alley and Side Interior (min)	15'/25'	20'/25'	na	15'/25'	20'/25'
G Upper Story Setback Above 51' adjacent to Protected District: Rear, alley/rear, no alley and Side Interior (min)	na	35'/40'	na	na	35'/40'
STREET LEVEL ACTIVATION					
H Transparency, Primary Street (min)	60%				
I Transparency, Side Street (min)	Residential Only Buildings: 40%				
J Pedestrian Access, Primary Street	25% Entrance				
USES					
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)	All U-RX Zone Districts		All U-MS and U-MX Zone Districts		
	na		100%		
	All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max. See Division 5.4 Uses and Parking.				
	All permitted Primary Uses shall be allowed within this building form. See Division 5.4 Uses and Parking.				

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions
DENVER ZONING CODE
June 15, 2018 | Republished May 24, 2018 | 5.3-25

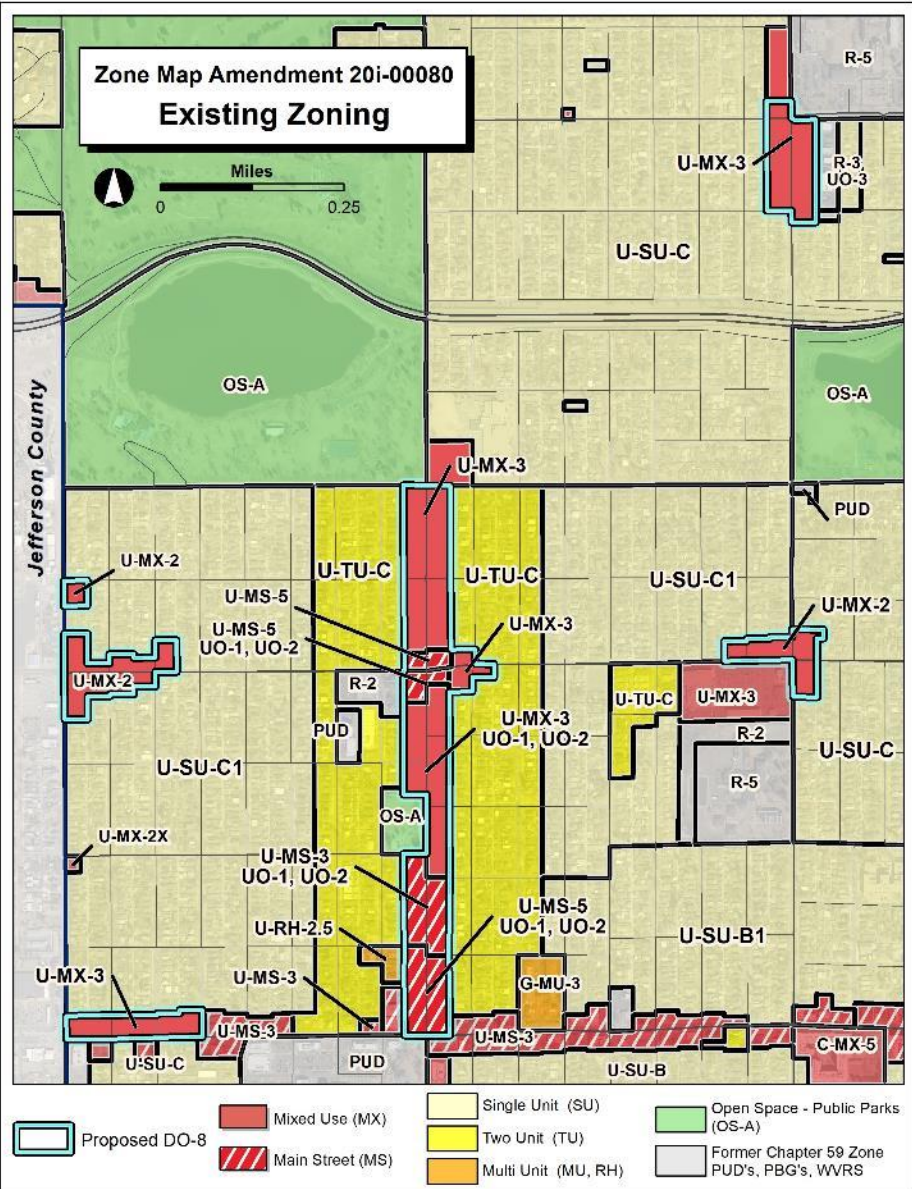
- Ensure the Shopfront form in the Urban context is consistent with other contexts
- Not allow surface parking between building and Primary or Side Street in RX, MX, or MS

Map Amendment / Rezoning

Existing Context Overview

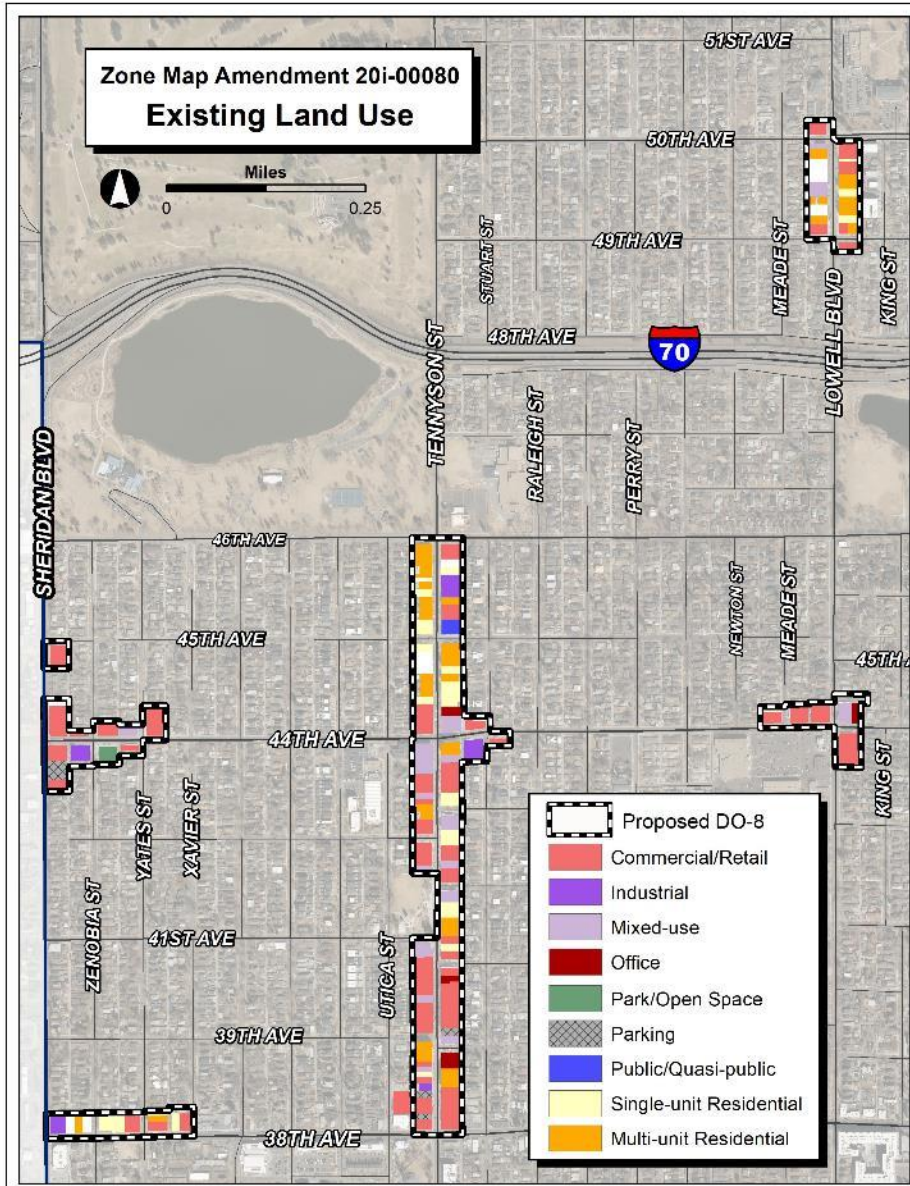
- Zoning
- Land Use
- Building Form/Scale

Existing Zoning



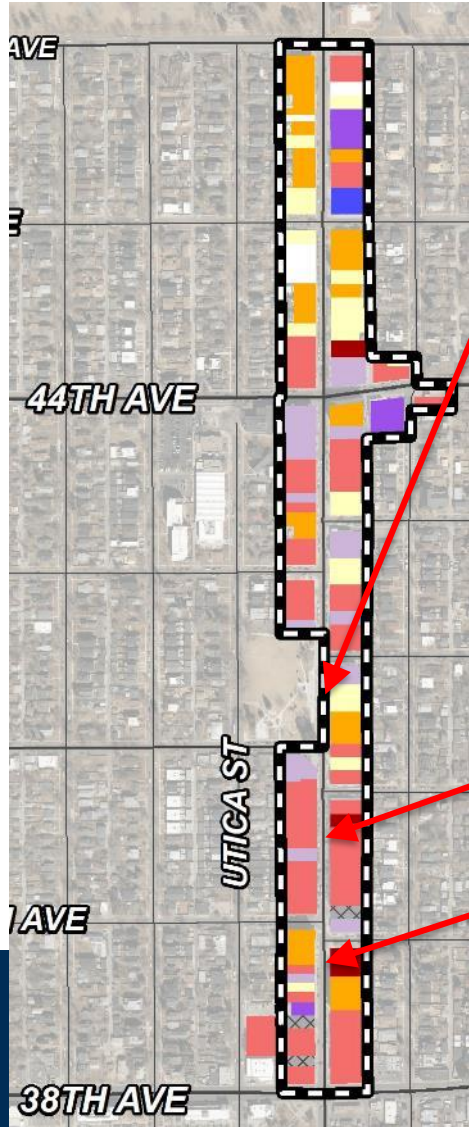
- U-MX-2
- U-MX-3
- U-MX-3, UO-1, UO-2
- U-MS-3, UO-1, UO-2
- U-MS-5
- U-MS-5, UO-1, UO-2

Existing Land Use

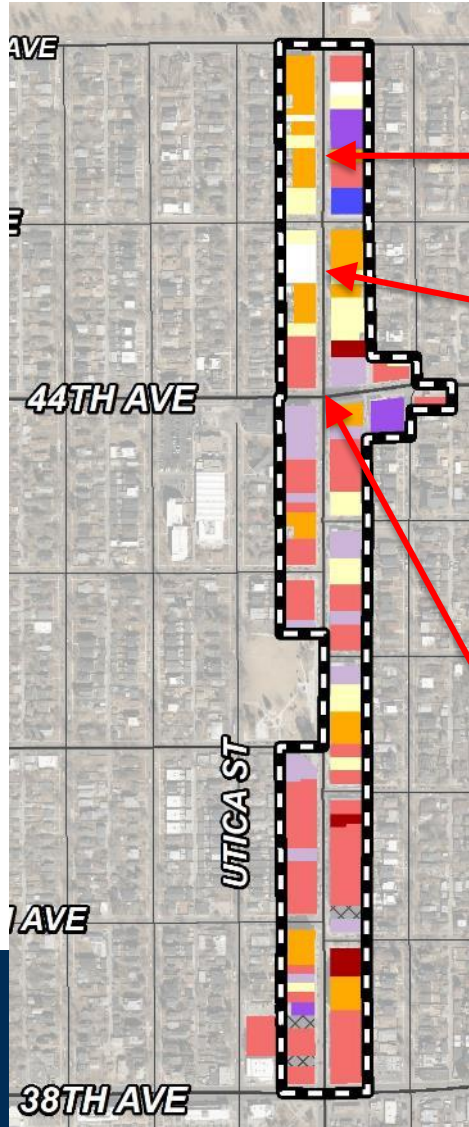


- Commercial/Retail
- Multi-Unit Residential
- Single Unit Residential
- Mixed Use
- Industrial
- Office
- Parking
- Surrounding land uses are primarily two-unit and single unit residential

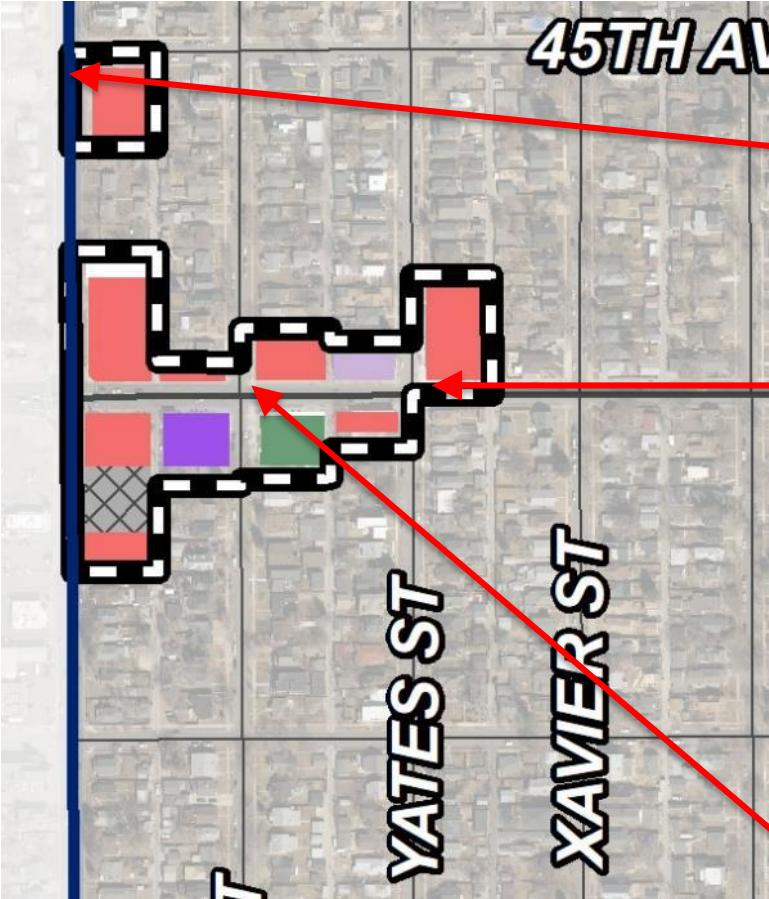
Existing Context Area 1 – Building Form/Scale



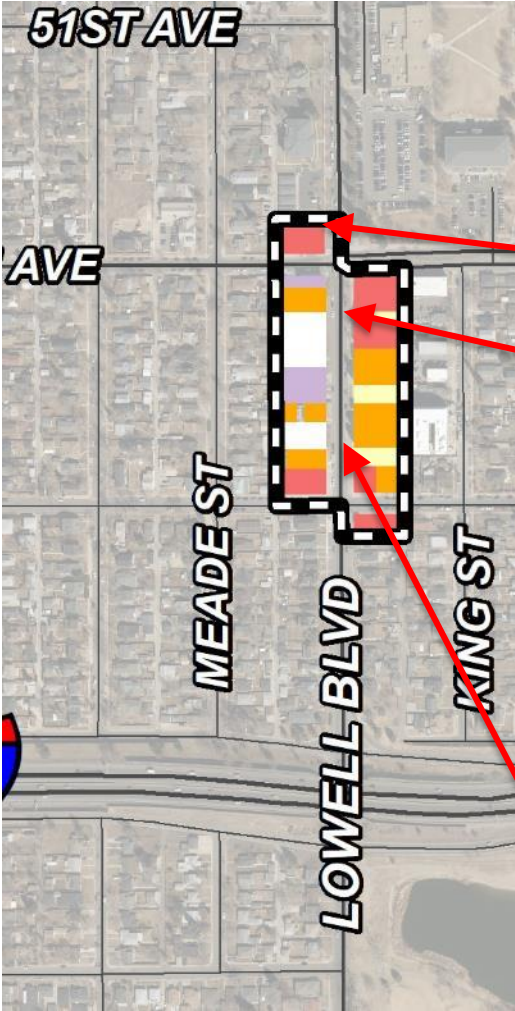
Existing Context Area 1 – Building Form/Scale



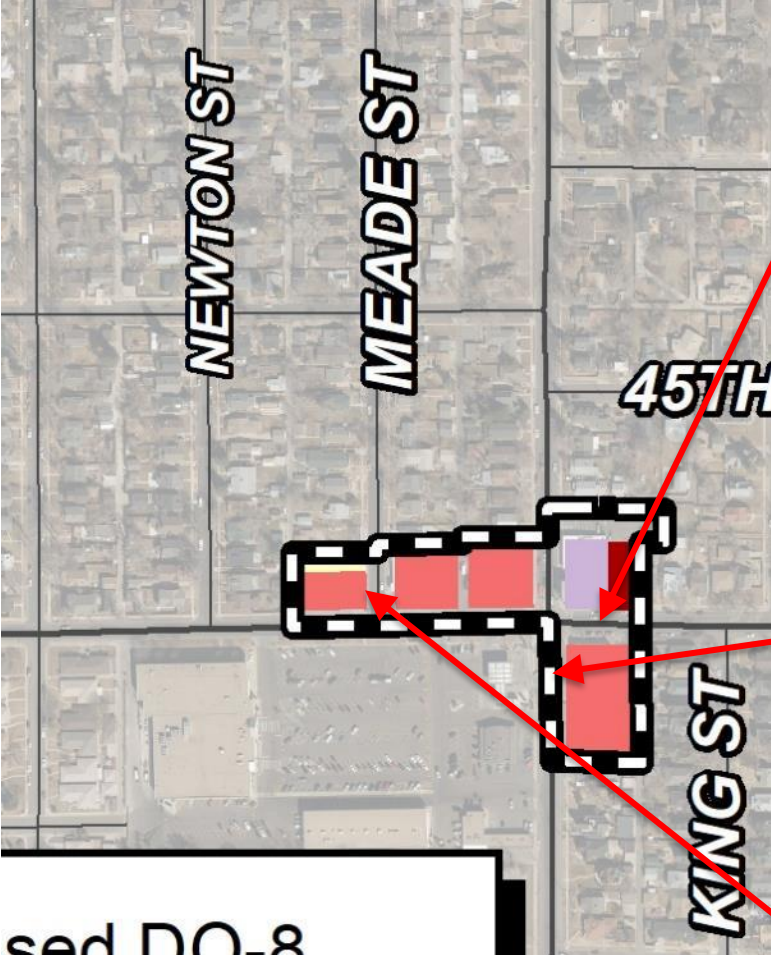
Existing Context Area 2 – Building Form/Scale



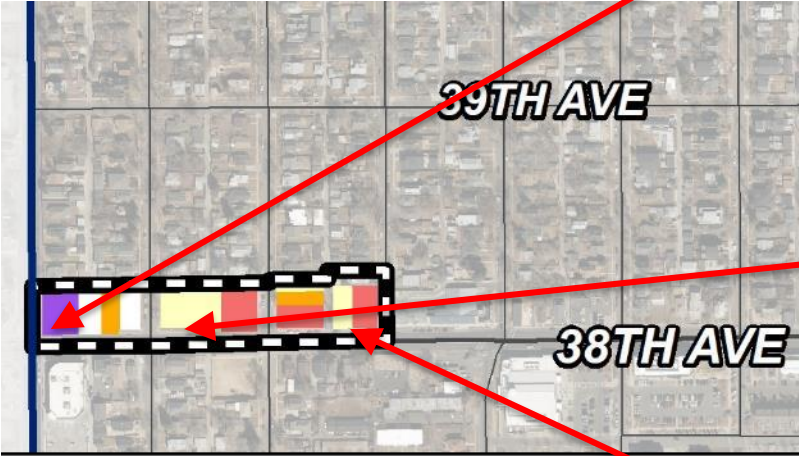
Existing Context Area 3 – Building Form/Scale



Existing Context Area 4 – Building Form/Scale



Existing Context Area 5 – Building Form/Scale



Public Outreach

- Coordination with Berkeley Regis United Neighbors zoning and planning committee: on-going since Fall 2017
- Property owner mailers and flyers: Spring 2020
- Media advisory: 2/28/2020
- Town halls: 3/5/2020 and 3/11/2020
- Direct conversations with property owners: Spring/Summer 2020
- Presentation to Inter-Neighborhood Coordination Zoning and Planning Committee: 11/28/2020

Process

- Informational Notice of Text Amendment Public Review: 11/16/2020
- Informational Notice of Map Amendment: 11/30/2020
- Planning Board Notice Posted: 01/05/2021 (re-noticed 1/15)
- Planning Board Public Hearing: 02/03/2021
- LUTI Committee: 02/16/2021
- City Council Public Hearing: 03/30/2021

Public Comments

- RNOs: Berkeley-Regis United Neighbors submitted a letter of support
- Members of the public:
 - 24 letters/comments in support (1 conditional support)
 - 4 letters/comments in opposition

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

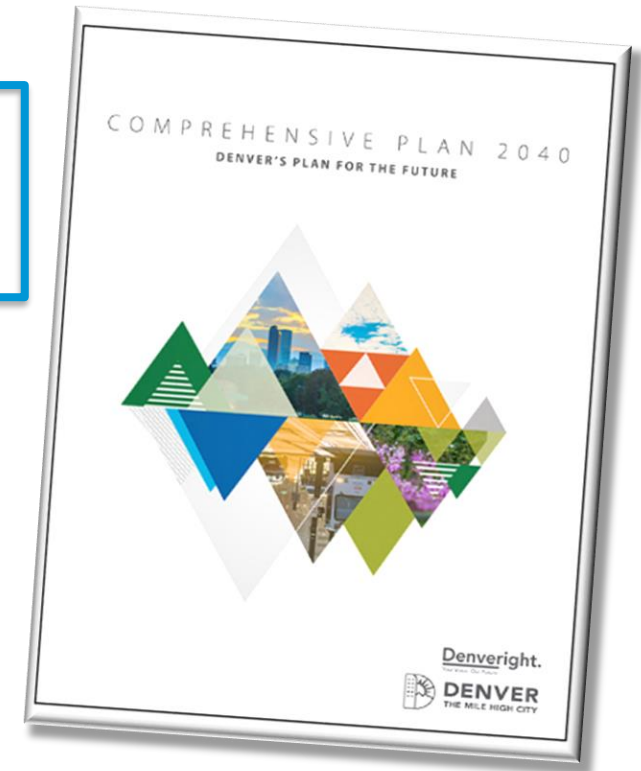
- *Comprehensive Plan 2040*
- *Blueprint Denver*

2. Uniformity of District Regulations

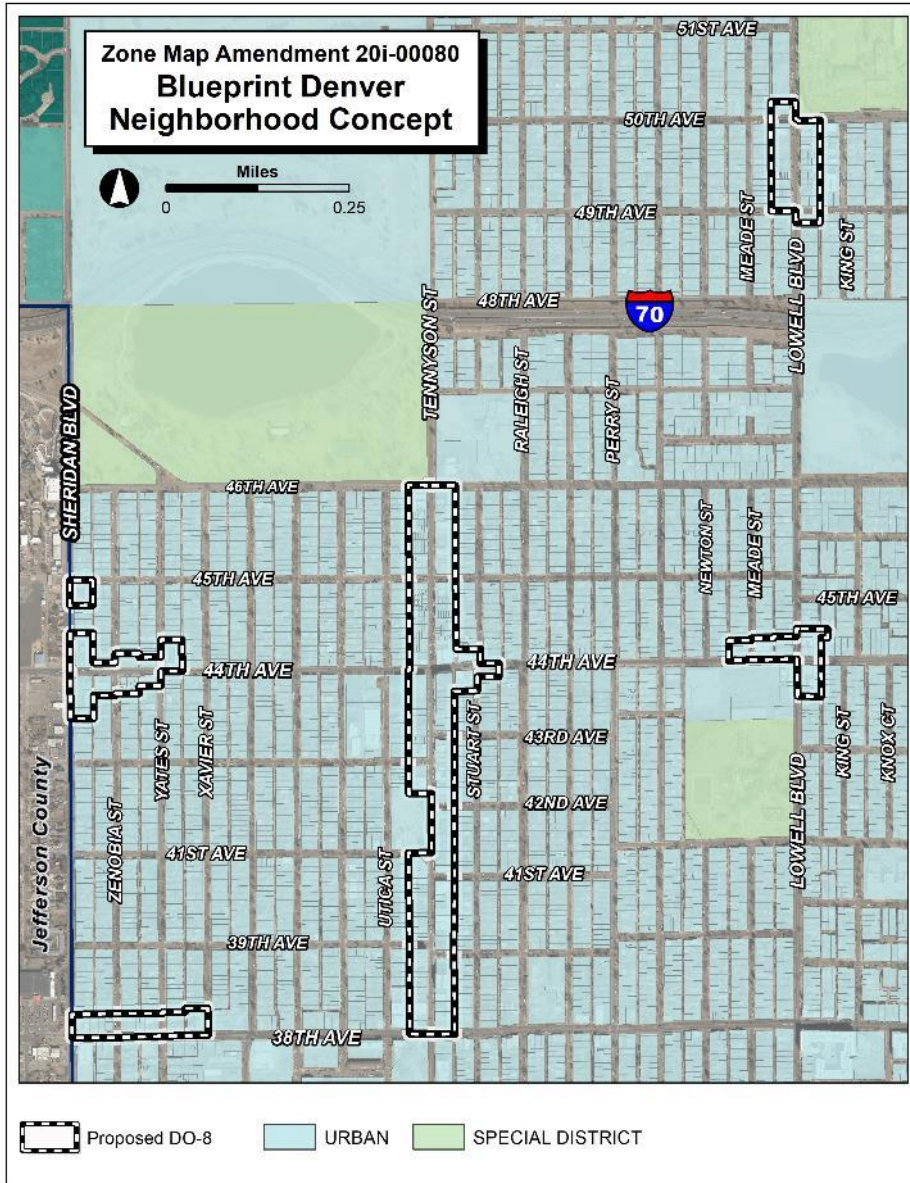
3. Further Public Health, Safety and Welfare

Review Criteria: Consistency with Adopted Plans

- *Equitable, Affordable, and Inclusive Goal 1 Strategy C – **Improve equitable access to resources that improve quality of life ...*** (pg 28)
- *Strong and Authentic Neighborhoods Goal 1 Strategy A, D – **Build a network of well-connected, vibrant, mixed-use, centers and corridors and Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.*** (pg 34)
- *Strong and Authentic Neighborhoods Goal 2 Strategy C – **Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.*** (pg 34)
- *Strong and Authentic Neighborhoods Goal 4 Strategy A – **Grow and support neighborhood-serving businesses.*** (pg 35)
- *Economically Diverse and Vibrant Goal 3 Strategy A – **Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver.*** (pg 46)
- *Environmentally Resilient Goal 8 Strategy B – **Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods.*** (pg 54)

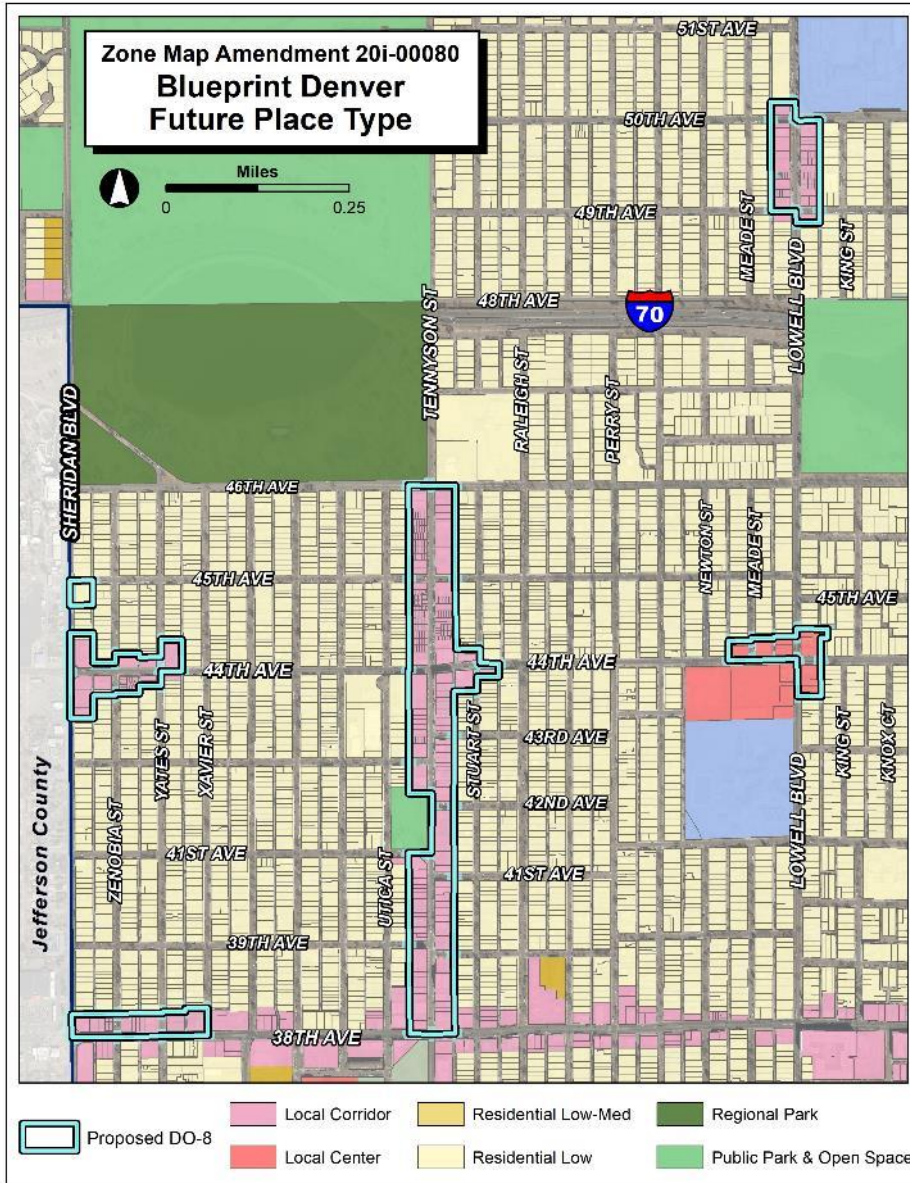


Consistency with Adopted Plans: Blueprint Denver



- **Urban Context**
 - Development should be compatible with the existing neighborhood character and offer residents a mix of uses with good street activation and connectivity
 - Offer access to neighboring areas and commercial nodes, with some small mixed-use nodes within the neighborhood
 - Homes vary from multi-unit developments to compact single-unit homes

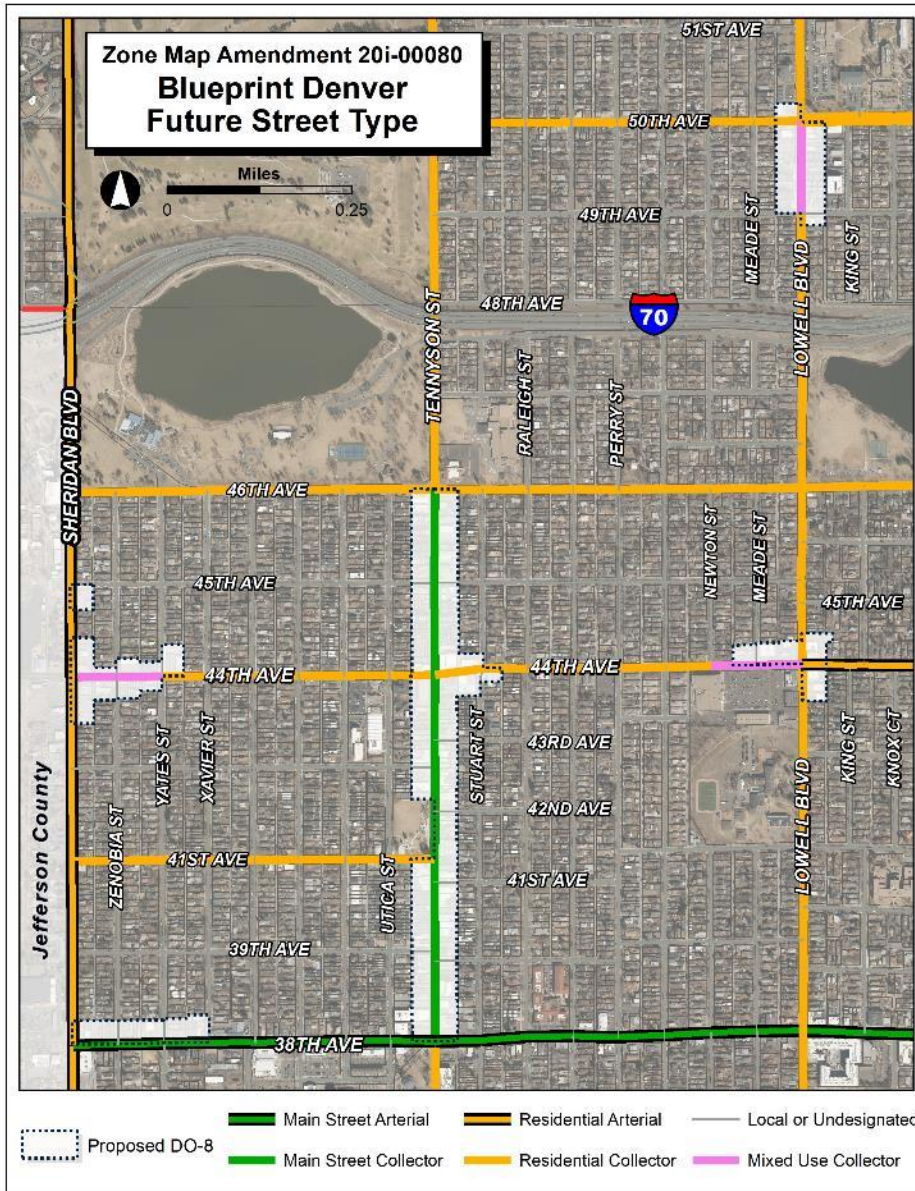
Consistency with Adopted Plans: Blueprint Denver



- **Local Corridor and Center**

- Primarily provides options for dining, entertainment, and shopping
- May also include some residential and employment uses
- Scale is intimate with a focus on the pedestrian
- Public realm is typically defined by lower-scale buildings with active frontages
- Heights are generally up to 3 stories

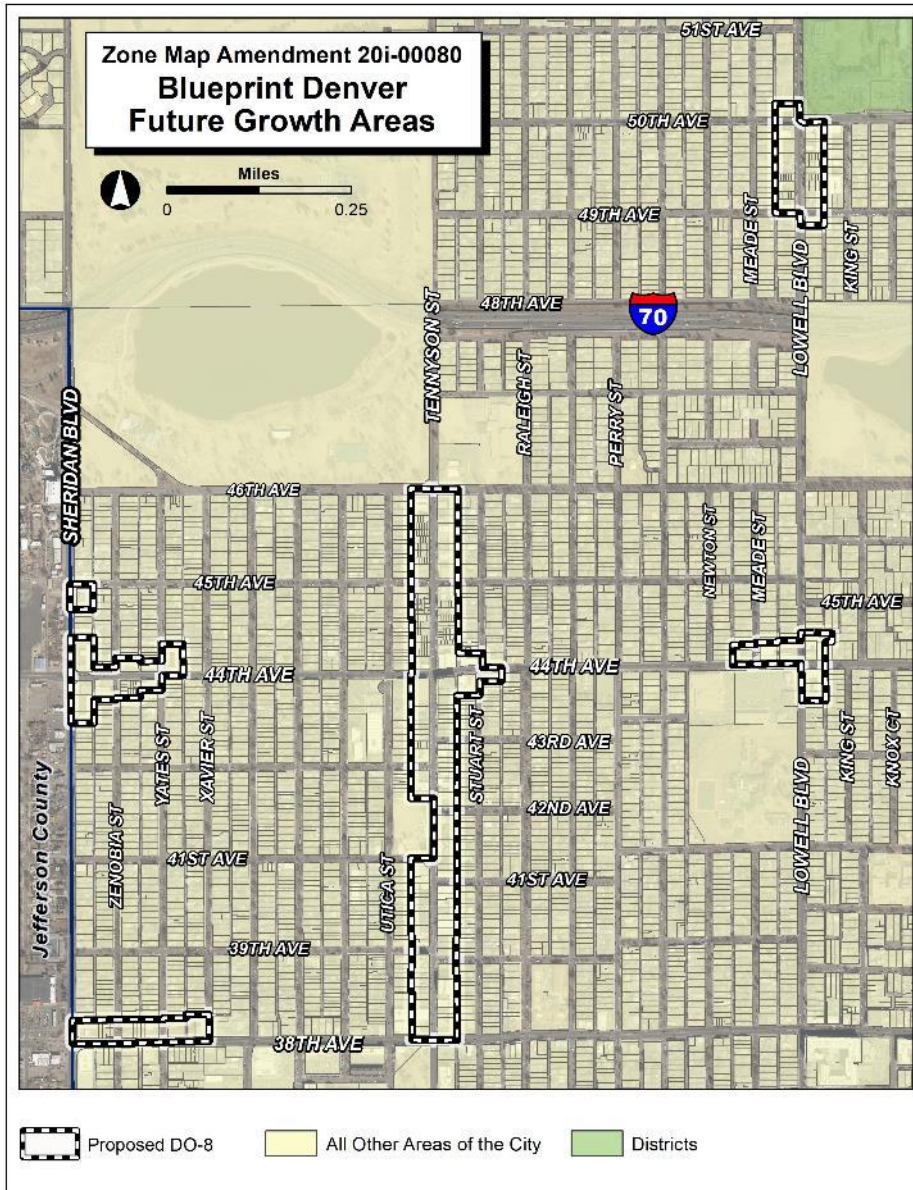
Consistency with Adopted Plans: Blueprint Denver



- **Mixed Use Collector (44th and Lowell)**
 - Varied mix of uses, including residential
 - Typically multi-story, with high building coverage and a shallow setback
 - Street wall is present, but may vary
 - Generally more frequent driveways
- **Main Street Collector (Tennyson) and Arterial (38th)**
 - Varied mix of uses, including residential
 - Pedestrian-oriented with shallow setback, high transparency, and continuous street wall
 - Highly activated street level uses
 - Generally fewer driveways

Consistency with Adopted Plans: Blueprint Denver

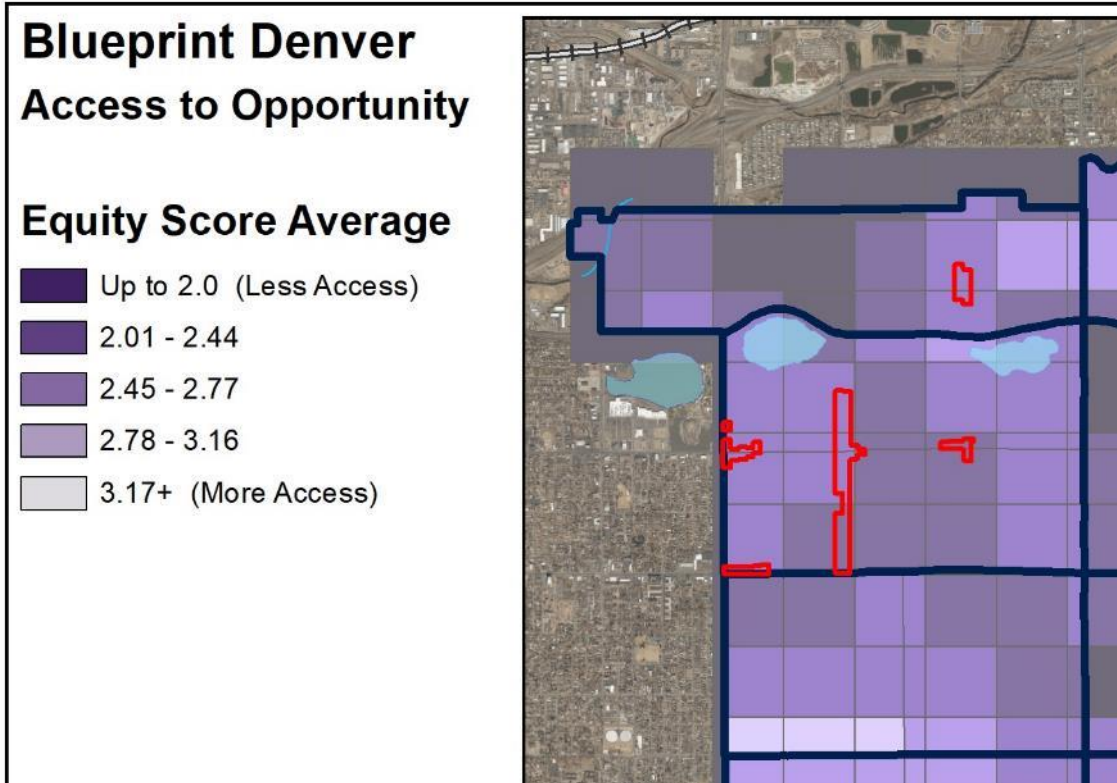
- Growth Areas Strategy:
All other areas of the city
 - 10% jobs by 2040
 - 20% housing by 2040



Consistency with Adopted Plans: Blueprint Denver

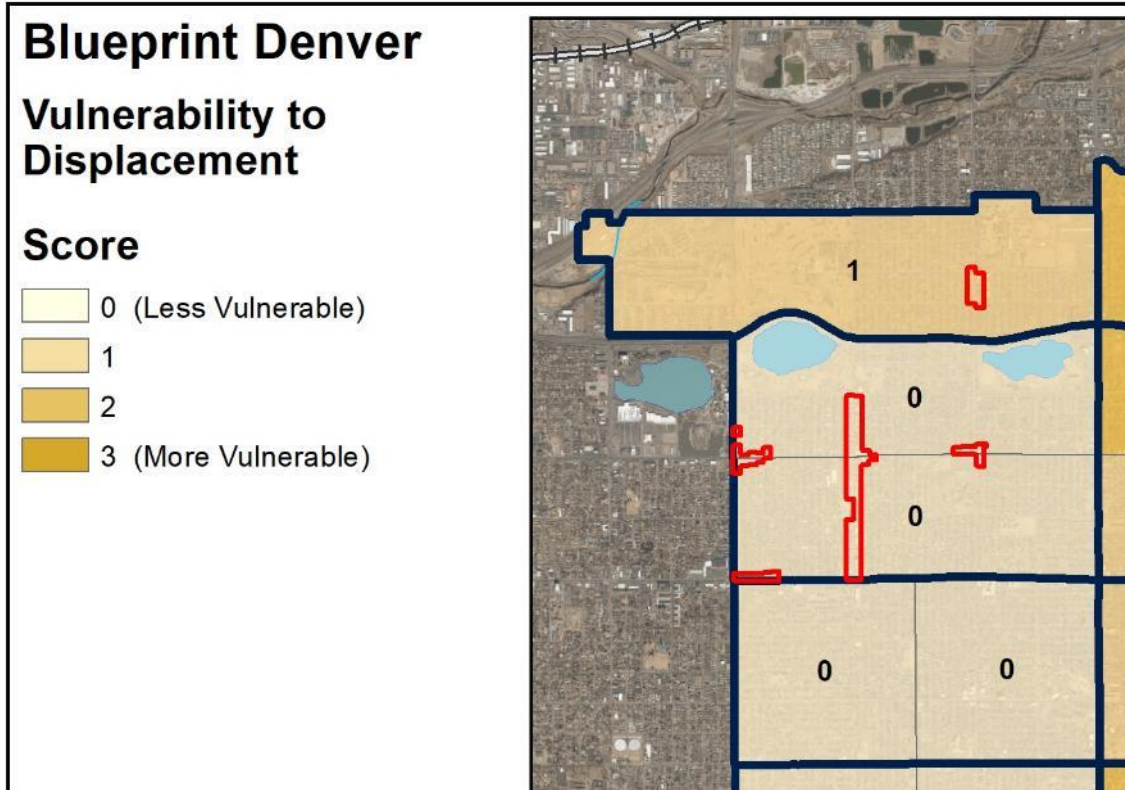
- Land Use and Built Form, General, Policy 11 - “Implement plan recommendations through city-led legislative rezonings and text amendments.” (p. 79)
- Land Use and Built Form: Economics, Policy 4
- Land Use and Built Form, Economics, Policy 6
- Land Use and Built Form: Design Quality and Preservation, Policy 3 & Strategy D
- Land Use and Built Form: Design Quality and Preservation, Policy 4 - “Ensure an active and pedestrian friendly environment that provides a true mixed-use character in centers and corridors.” (p. 103)
 - **Strategy A** - “Require strong street-level active use standards for local centers and corridors. This may include a prohibition on residential units for a portion of the street level building. Given the intent of these small-scale places to provide services embedded in the neighborhood, it is important for them to provide more than residential uses.”
- Mobility, Policy 1 & Strategy D and E
- Mobility, Policy 3 & Strategy C

Consistency with Adopted Plans: Blueprint Denver



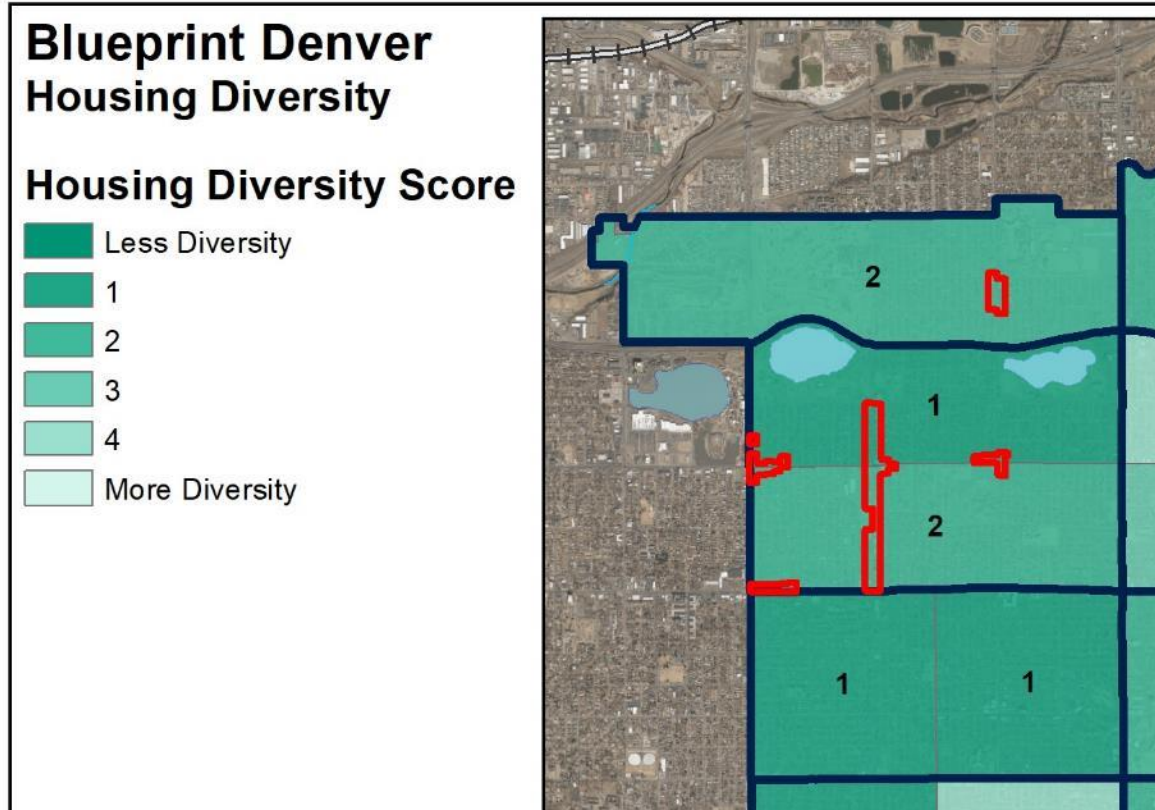
- **Access to Opportunity**
 - Average Access
 - Equity Index
 - Proximity to Transit
 - Access to Centers and Corridors
 - Less access to the parks and grocery stores
 - Less proximity to transit
 - More access to Local centers/corridors

Consistency with Adopted Plans: Blueprint Denver



- **Vulnerability to Displacement**
 - Not Vulnerable to Moderately Vulnerable
 - Median household income
 - Percent of renters
 - Educational attainment
 - Has potential to improve conditions for business displacement

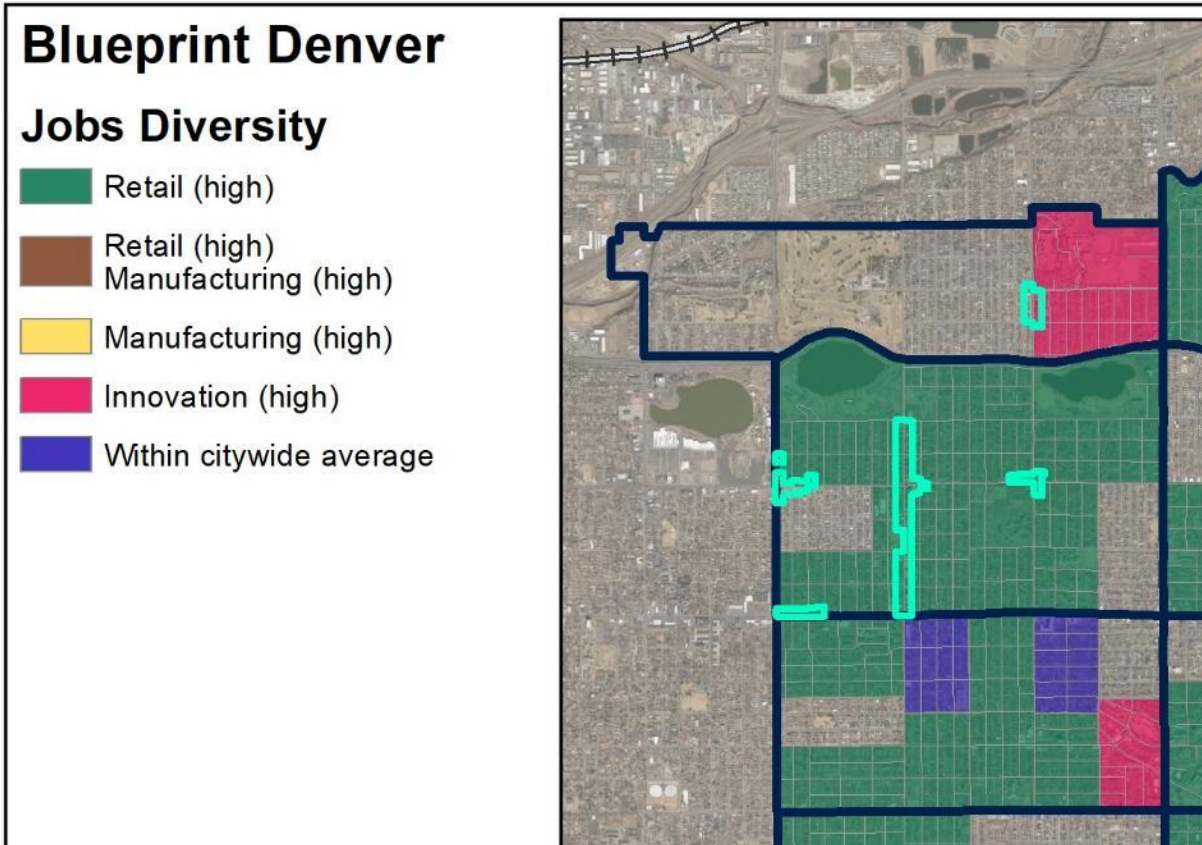
Consistency with Adopted Plans: Blueprint Denver



- **Housing Diversity**

- Low to Moderate Diversity
 - Missing middle
 - Home size
 - Ownership vs. rental
 - Housing costs (Berkeley)
 - Affordable units (Regis)
- Could slightly affect housing diversity to meet new Street Level Nonresidential Active Use standard (ie, fewer units)

Consistency with Adopted Plans: Blueprint Denver



- **Jobs Diversity**
 - More diversity in Retail and Innovation
 - Rezoning will allow for more nonresidential spaces and a variety of uses that could strengthen the overall job mix

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
 - *Comprehensive Plan 2040*
 - *Blueprint Denver*
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare

CPD Recommendation

1. Staff recommends approval of Denver Zoning Code Text Amendment #9 establishing the Active Centers and Corridors Design Overlay (DO-8), finding that the applicable review criteria have been met.
2. Staff recommends approval of map amendment #2020I-00080 rezoning areas of Berkeley and Regis neighborhoods to apply DO-8, finding that the applicable review criteria have been met.